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7 UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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10 CARMEL GARCIA; M.Y. AND L.Y.,  
11 minors by and through their guardian ad  
12 litem VANESSA RUIZ; L.Y., a minor by  
and through his guardian ad litem  
FRANCISCA URIOSTEGUI,

13 Plaintiffs,

14 v.

15 YUBA COUNTY SHERIFF'S  
16 DEPARTMENT; YUBA COUNTY  
SHERIFF'S DEPUTIES DOES 1-5; CITY  
17 OF VACAVILLE; and VACAVILLE  
POLICE OFFICER DOES 6-10,,

18 Defendants.  
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No. 2:19-cv-2621 KJM DB

ORDER

20 On April 16, 2021, defendants filed a motion to compel and award sanctions, noticing the  
21 motion for hearing before the undersigned pursuant to Local Rule 302(c)(1). (ECF No. 37.)

22 However, on May 4, 2021, the undersigned continued the hearing of defendants' motion to May  
23 28, 2021, in light of plaintiffs subsequently providing "untimely [discovery] responses and  
24 briefing[.]" (ECF No. 41 at 3.)

25 On May 13, 2021, defendants filed a memorandum in support, explaining that plaintiffs'  
26 untimely responses remained deficient. (ECF No. 42.) On May 21, 2021, plaintiffs filed a reply  
27 brief. (ECF No. 43.) Therein, plaintiffs state that plaintiffs again provided supplemental  
28 discovery responses this time "on May 21, 2021." (*Id.* at 3.) The court cannot resolve a

1 discovery dispute when one party has not been provided any time to review the discovery at issue,  
2 let alone brief the court as to the contours of the dispute. In light of plaintiffs' repeated untimely  
3 discovery production, the May 28, 2021 hearing of defendants' motion to compel will again be  
4 continued.<sup>1</sup>

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The May 28, 2021 hearing of defendants' motion to compel (ECF No. 37) is continued  
7 to **June 18, 2021**;

8 2. If a discovery dispute remains, the parties shall engage in further meet and confer  
9 efforts; and

10 3. On or before **June 11, 2021**, the parties shall file a Joint Statement that complies with  
11 the undersigned's Standard Information and the Local Rules.

12 DATED: May 24, 2021

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

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21 DLB:6  
22 DB/orders/orders.civil/garcia2621.mtc.cont2.ord

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27 <sup>1</sup> Plaintiffs are cautioned that the undersigned will not look favorably upon a third belated  
28 discovery production that undermines the full briefing and hearing of defendants' motion to  
compel and award sanctions.